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8 RODERICK MAGGAY,
9 Plaintiff,
10 v.
11 OFFICER MICKE, et al.,
12 Defendants.
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15 Case No. 21-cv-04994 BLF (PR)
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**ORDER GRANTING MOTION FOR
THIRD EXTENSION OF TIME TO
FILE SECOND AMENDED
COMPLAINT**

(Docket No. 34)

18 Plaintiff, a federal prisoner, filed a *pro se* civil rights action pursuant to 42 U.S.C. §
19 1983 against staff at the Santa Rita County Jail. Dkt. No. 1. On July 14, 2022, the Court
20 granted Plaintiff leave to file a second amended complaint. Dkt. No. 25. Then on
21 October 4, 2022, Plaintiff was granted a second extension of time to file a second amended
22 complaint no later than November 15, 2022. Dkt. No. 30.

23 Plaintiff has filed a motion for a third extension of time to file a second amended
24 complaint because the facility is in total lockdown. Dkt. No. 34. Good cause appearing,
25 the Plaintiff's extension of time is GRANTED. Plaintiff shall file a second amended
26 complaint using the Court's form complaint **no later than twenty-eight (28) days from**
27 **the date this order is filed.**

The second amended complaint must include the caption and civil case number used in this order, *i.e.*, Case No. 21-cv-04994 BLF (PR), and the words “SECOND AMENDED COMPLAINT” on the first page. Plaintiff must answer all the questions on the form in order for the action to proceed. Plaintiff is reminded that the second amended complaint supersedes the original and amended complaints, and Plaintiff may not make references to either in the second amended complaint. Claims not included in the second amended complaint are no longer claims and defendants not named in a second amended complaint are no longer defendants. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir.1992).

Failure to respond in accordance with this order by filing a second amended complaint in the time provided will result in this action proceeding based on the cognizable claims in the amended complaint, as discussed in the Court's initial screening order, Dkt. No. 14.

This order terminates Docket No. 34.

IT IS SO ORDERED.

Dated: November 22, 2022


BETH LABSON FREEMAN
United States District Judge